

## Message Text

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ORIGIN EB-08

INFO OCT-01 AF-10 IO-13 ISO-00 STR-07 AGRE-00 TRSE-00  
COME-00 LAB-04 L-03 /046 R

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AF/W - R KOTT  
STR - D COOPER  
STR - J STEWART  
AGRICULTURE - A BAILLEY  
TREASURY - E BARBER  
COMMERCE - G REDDING  
LABOR - H FIEKOWSKY  
COMMERCE - D GARDNER  
-----044361 020757Z /17  
R 012235Z JUN 78  
FM SECSTATE WASHDC  
TO AMEMBASSY LAGOS  
USMISSION GENEVA

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E.O. 11652:N/A

TAGS:ETRD, GATT, NI

SUBJECT: NIGERIAN TRADE RESTRICTIONS

REF: A) GENEVA 7698 B) STATE 122851

1. AS ONE MONTH HAS PASSED SINCE VISITING NIGERIAN  
OFFICIALS STATED THEIR INTENTION OF NOTIFYING GATT OF APRIL  
1 IMPORT RESTRICTIONS (REF B), IT WOULD SEEM APPROPRIATE  
TO FOLLOW UP IN GENEVA AND LAGOS. IN ADDITION TO REMIND-  
ING FMG THAT RESPECTING ITS INTERNATIONAL OBLIGATIONS IS  
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OF CONSIDERABLE IMPORTANCE, WE SHOULD BE CAREFUL TO EXPLAIN  
OUR VIEW OF THE IMPLICATIONS OF NOTIFYING THOSE RESTRIC-  
TIONS.

2. ESPECIALLY IMPORTANT IS THE IDEA THAT SUCH RESTRICTIONS  
MUST BE JUSTIFIED UNDER THE GATT BY REFERENCE TO APPROPRI-  
ATE ARTICLES. FMG'S ATTENTION SHOULD BE DRAWN TO SECTION

B AND C OF ARTICLE 18 WHICH CAN PROVIDE JUSTIFICATIONS FOR QUANTITATIVE RESTRICTIONS IMPOSED FOR DEVELOPMENT PURPOSES.

3. WE SUGGEST TALKING POINTS AS FOLLOWS:

--- THE UNITED STATES UNDERSTANDS THAT DEVELOPING COUNTRIES SOMETIMES HAVE LEGITIMATE PROBLEMS WHICH CAN BE SOLVED OR EASED VIA TEMPORARY TRADE POLICY MEASURES.

--- NIGERIA, AS AN IMPORTANT DEVELOPING COUNTRY, A MAJOR TRADING COUNTRY AND A MEMBER OF GATT, HAS A SIGNIFICANT RESPONSIBILITY TO ADHERE TO ITS INTERNATIONAL OBLIGATIONS. THIS CAN BE DONE THROUGH FORMAL NOTIFICATION AND JUSTIFICATION OF ITS RECENT TRADE MEASURES TO THE GATT.

--- ARTICLE 18 OF THE GATT CONTAINS PROVISIONS UNDER WHICH A DEVELOPING COUNTRY MAY JUSTIFY CERTAIN QUANTITATIVE RESTRICTIONS BEING NECESSARY EITHER TO PROMOTE DOMESTIC INDUSTRY OR TO CORRECT AN ADVERSE BALANCE OF PAYMENTS SITUATION. THE FORMER REQUIRES CONSULTATIONS WITH CONTRACTING PARTIES WHILE THE LATTER REQUIRES BIENNIAL CONSULTATIONS WITH THE GATT BALANCE OF PAYMENTS COMMITTEE (FYI - IN WASHINGTON CONSULTATIONS NIGERIAN OFFICIALS EXPLAINED THAT THE NEW RESTRICTIONS ARE INTENDED TO PROMOTE DOMESTIC PRODUCTION, ESPECIALLY OF CONSUMPTION GOODS, AND TO OFFSET A DECLINE IN OIL SALES. END FYI)

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4. WE BELIEVE THAT LOW-KEY APPROACH IS APPROPRIATE, AND THAT TIMING OF OUR COMMENTS SHOULD REINFORCE APPROACH OF GATT SECRETARIAT REPORTED REF A. MISSION MAY WISH TO INFORMALLY ADVISE SECRETARIAT OF OUR APPROACH.

5. SEPTTEL WILL FOLLOW WITH OUR DETAILED REACTIONS OF APRIL 1 RESTRICTIONS. SUGGEST MISSION AND EMBASSY COMBINE APPROACHES ON US TRADE CONCERNS AND GATT RAMIFICATIONS INTO SINGLE PRESENTATION TO FMG OFFICIALS. VANCE

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**TAGS:** ETRD, NI, GATT  
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